

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

TRACEY WHITE, et al.)	
)	
Plaintiffs)	
)	
v.)	Cause No. 14-cv-01490 - HEA
)	
THOMAS JACKSON, et al.)	
)	
Defendants.)	

ST. LOUIS COUNTY DEFENDANTS' PRE TRIAL SUBMISSION

Stipulation of Uncontested Facts:

A joint Stipulation of uncontested facts which may be read into evidence and a Brief Summary of the Case which may be used on Voir Dire, has not been agreed to by the parties. There have been many back and forth attempts to do so by email over a period of time. Then there was an approximate 40 minute conference call on 9/12/16 but an agreement still was not reached. The undersigned is willing to continue these attempts. .

Exhibits

Def. County A	County police report 14-4417, Tracey White and William Davis
Def. County B	GIS map of area involving White and Davis
Def. County C-1	Video Tracey White (As marked Ex. C in Tracey White deposition)
Def. County C-2	Video Tracey White
Def. County C-3	Video Tracey White
Def. County C-4	Video Tracey White
Def. County C-5	Video Tracey White
Def. County D	County Police Report 15-9973, Dwayne Matthews
Def. County E	Video Dwayne Matthews

Def. County F	Affidavit of Matt Burns from Motion for Summary Judgment
Def. County G	Affidavit of Nicholas Payne from Motion for Summary Judgment
Def. County H	Use of Force Report involving Dwayne Matthews
Def. County I	GIS Map of area involving Dwayne Matthews.
Def. County J	County Report 14-44579, K. White, K. Bowers, S. Bowers.
Def. County K	GIS Map of area of K. White, K. Bowers, S. Bowers.
Def. County L	Affidavit of Michael McMann from Summary Judgment
Def. County M	Affidavit of Terrence McCoy from Summary Judgment
Def. County N	County Police Report 14-44389, Nathan Burns
Def. County O	GIS Map of Nathan Burns area
Def. County P	Nathan Burns Medical Chart from Justice Center
Def. County Q.	Video Christopher Shearer had at deposition
Def. County R..	County Police Report 15-18619, Antawn Harris
Def. County S	Selfie photo of Antawn Harris face
Def. County T	Cell phone video of Antawn Harris
Def. County U	Medical Records of Antawn Harris from Christian Hospital
Def. County V	GIS map of Antawn Harris area
Def. County W	County Police Report 14-44393, T. Green and D. Coleman
Def. County X	GIS Map of area involving T. Green and D. Coleman
Def. County Y	Damon Coleman video
Def. County Z	After Action Report prepared by Sgt. Mundy

Def. County AA	Notes of Edwin Menzenwerth
Def. County BB	Affidavit of Jon Belmar from Summary Judgment Motion
Def. County CC	Use of Force Policy
Def. County DD	St. Louis County Emergency Operations Plans
Def. County EE	Power Point Presentation Slides, "Civil Disturbance Response Training"
Def. County FF	Copies of Training Certificates for Jeremy F. Romo, including from Homeland Security re Managing Civil Actions dated September 17, 2004, National Tactical officers Association re Instructor Certification Course on diversionary devices conducted October 31-November 4, 2005, 2005; from Combined Tactical systems re Instructor's chemical munitions etc., dated April 3 rd , 2008 & SABRE re chemical aerosol projectors dated February 15 th , 2005
Def County GG	Aerial Photo of area titled Lorna Lane.
Def. County HH.	Continuing Education Training Records for Officer William Bates
Def. County II.	Continuing Education Training Records for Officer Daniel Hill
Def. County JJ.	Continuing Education Training Records for Derik Jackson
Def. County KK.	Continuing Education Training Records for Officer Michael McCann
Def. County LL.	Continuing Education Training Records for Officer Terence McCoy
Def. County MM.	Continuing Education Training Records for Officer Joseph Patterson
Def. County NN.	Continuing Education Training Records for Officer Nicholas Payne
Def. County OO.	Continuing Education Training Records for Sgt. David Ryan
Def. County PP.	Continuing Education Training Records for Officer Antonio Valentine
Def. County QQ.	Continuing Education Training Records for Officer Aaron Vinson
Def. County RR	Audiotape of Police Transmission, August 11, 2014

Def. County SS	Transcript of Police Transmission, August 11, 2014
Def. County TT	Audiotape of Police Transmission, titled Riot A, August 13, 2014
Def. County UU	Audiotape of Helicopter Transmissions.
Def. County VV	CD Rom titled "Riot A, August 13, 2014, 18:49 through 19:12
Def. County WW	Aerial photo of Chambers and West Florissant
Def. County XX	, Self Insurance policy (outside presence of jury)
Def. County YY	Affidavit of Bruce Kozozenski (from Summary Judgment Motion)
Def. County ZZ	Medical Records of Dwayne Matthews from Christian Hospital

Witnesses that will be called:

Jon Belmar
Michael Dierkes
Kurt Firsz
Terrence McCoy
Michael McCann
David Ryan
Derik Jackson
Aaron Vinson
Joe Patterson
Aaron Vinson
Will Bates,
Mathew Burns
Nicholas Payne
Brandon Jones
Laura Williams, RN

Witnesses that may be called:

Ken Cox

Brian Ludwig

Pete Morrow

Matt O'Neill

Ron Grames

Jeremy Romo

Brandt Wathen

Jason Law

Bryan Ludwig

Edwin Menzenwerth

John Wolf

Paul Eckenger

Jason Steinmetz,

Justin Sparks

Richard Mundy,

Veronica Clayborn

Timothy MacMann

Matt Delia

David Devouton

Brandon McKinnon

Patrick Nigh

Sean Murphy

Murphy Smith

John Pfanstiel

Anthony Cavaletti,

Andrew Soll,

Kurt Hauser,

Christopher Steib

Adriano Tiongson

Alim Poindexter

Cameron Griego,

Marty Ingram

Kyle Null

Matthew Caravella

Alim Poindexter

Adam McCintyre

Keith Eyer

Antonio French

Keeper of medical records at Christian Hospital.

Keeper of records of Medical Records at Justice Center.

Keeper of Records of Christian Hospital EMS

Portions of Depositions to be offered into evidence

Deposition of Tracey White

Page 41, lines 4-17

Page 47, lines 6-8 and 11-12

Page 53, lines 11-16

Page 57, lines 9-15

Page 58, lines 13-17

Page 68, lines 11-12 and 15

Page 77, lines 1-5 and lines 10-14 and line 17

Page 83, lines 8-13
Page 86, lines 9-18
Page 89 lines 17-21
Page 99 lines 5-14
Page 100, lines 7-18
Page 106, lines 23-25
Page 107, lines 1-25
Page 108, lines 1-10
Page 109, lines 4-18
Page 110, lines 13-15
Page 128, lines 8-19
Page 169, lines 1-4
Page 196, lines 22-25

Deposition of William Davis

Page 7, lines 19-25
Page 8, lines 1-14
Page 15, lines 10-25
Page 16, lines 1-20
Page 42, lines 8-25
Page 49, lines 5-16
Page 57, lines 5-25
Page 61, lines 1-12
Page 66, lines 1-9

Deposition of Dwayne Matthews

Page 16, lines 7-20
Page 17, lines 5-11
Page 19, lines 1-6
Page 20, lines 8-11
Page 24, lines 11-13
Page 25, line 25
Page 26, lines 1-11 and 19- 25 and page 27 lines 1-6
Page 37, lines 5-18
Page 39, lines 2-7
Page 48, line 25 and page 49, lines 1-11
Page 51, lines 18-20
Page 60, lines 15-20
Page 61, lines 3-23
Page 66, lines 3-11.

Deposition of Kerry White

Page 21, lines 21-25

Page 22, lines 1-4 and 23-25
Page 23, Lines 1-8
Page 33, lines 5-7, and 15-18 and 20-24
Page 35, lines 1-7
Page 40, lines 8-13, and lines 18-23
Page 41, lines 2-4, and lines 13-15 and lines 18-19.
Page 45, lines 5-15
Page 48, lines 8-15
Page 82, lines 18-23

Deposition of Sandy Bowers

Page 27, lines 20-23
Page 46, lines 1-6 and 12-15.
Page 58, lines 6-7, and 11-16
Page 63, lines 18-21
Page 80, lines 2-3

Deposition of Kai Bowers

Page 9, lines 2-7
Page 30, lines 19-25 and page 31, lines 1-6
Page 88, lines 3-9
Page 112, lines 3-4, and 10-24
Page 119, lines 2-11, and 21-24

Deposition of Nathan Burns

Page 11, lines 24-25 and page 12, lines 1-6
Page 12, lines 10-16
Page 15, lines 7-10
Page 22, lines 9-14
Page 29, lines 3-12
Page 39, lines 16-25 and page 40, lines 1-8
Page 63, lines 15-25
Page 76, lines 10-225, and page 77, lines 1-24

Deposition of Christopher Shearer

Page 8, lines 2-3, and 9-11
Page 10, lines 5-11
Page 11, lines 3-5, and 11-15
Page 18, line 25 and page 19 line 1
Page 19, lines 20-25 and page 20, lines 1-5, and lines 10-13
Page 52, lines 9-17
Page 55, lines 8-10 and 19-22

Deposition of Antawn Harris

Page 22, lines 3-4, 10-11, 14-16, and 22-23
Page 24, lines 12-16 and 20-25 and page 25, lines 1-4
Page 25, lines 12-14
Page 26, lines 6-8 and 19-25
Page 27, lines 22-25 and page 28 lines 1-10
Page 28, lines 22-25 and page 29, lines 1-9
Page 33, lines 17-25
Page 37, lines 4-11, and 15-23
Page 38, lines 7-13
Page 41 lines 17-24
Page 42, lines 9-16
Page 48, lines 20-25
Page 49, lines 1-3 and lines 22-25 and page 50, line1
Page 50, lines 10-25
Page 54, lines 1-11
Page 57, lines 13-25

Other Depositions

All Deposition pages and lines submitted by co-defendants for pages and lines are incorporated by reference, to be read by these defendants including but not limited to Antonio French, Keith Eyer, Damon Coleman, and Theophilus Green.

The entire deposition of each Maryland Heights police officer may be read.

The entire deposition of every other St. Louis County police officer who was deposed may be read.

The entire deposition of Keith Eyer may be read.

Instructions

Defendants will submit converse instructions and affirmative defense instructions in response to plaintiffs' instructions. Defendants will also present definition instructions in response to Plaintiffs' instructions. This will be done as soon as possible, but at least seven days before trial.

Trial Brief.

St. Louis County Defendants are submitting their Trial Brief. Defendants incorporate citations listed in co-defendants' trial brief.

Motions in Limine

Defendants have submitted their Motion in Limine. Further defendants incorporate by reference their Daubert Motion and co-defendants Daubert Motions to be considered Motions in Limine. Defendants incorporate by reference co-defendants' Motion in Limine.

Respectfully Submitted,

PETER J. KRANE
COUNTY COUNSELOR

/s/ Michael E. Hughes
Michael E. Hughes #23360MO
Associate County Counselor
Mhughes2@stlouisco.com
Priscilla F. Gunn #29729MO
Assistant County Counselor
Pgunn@stlouisco.com
41 S. Central, Ninth Floor
Clayton, MO 63105
(314) 615-7042
(314) 615-3732 (fax)

CERTIFICATE OF SERVICE

The undersigned certifies that a copy of the foregoing was served electronically via this Court's Electronic Filing System to all counsel of record this 12th day of September, 2016.

s/s Michael E. Hughes

